

1 Andrew H. Wilson, SBN #063209  
WILSON, RYAN & CAMPILONGO  
2 115 Sansome St., 4th Floor  
San Francisco, California 94104  
3 (415) 391-3900  
Telefax: (415) 954-0938

4 Laurie J. Bartilson, SBN #139220  
5 MOXON & BARTILSON  
6255 Sunset Boulevard, Suite 2000  
6 Hollywood, CA 90028  
(213) 960-1936  
7 Telefax: (213) 953-3351

8 Attorneys for Plaintiff  
CHURCH OF SCIENTOLOGY  
9 INTERNATIONAL

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 FOR THE COUNTY OF MARIN

13 CHURCH OF SCIENTOLOGY ) CASE NO. 157 680  
INTERNATIONAL, a California not- )  
14 for-profit religious corporation, ) [CONSOLIDATED]  
15 )  
16 Plaintiff, ) CHURCH OF SCIENTOLOGY  
INTERNATIONAL'S MEMORANDUM  
17 ) OF POINTS AND AUTHORITIES  
IN SUPPORT OF MOTION FOR  
18 vs. ) TERMINATING OR EVIDENTIARY  
SANCTIONS AGAINST DEFENDANT  
GERALD ARMSTRONG  
19 GERALD ARMSTRONG, et al., ) [C.C.P. §2023(b)(3),(4)]  
20 )  
DATE: April 28, 1995  
21 Defendants. ) TIME: 9:00 a.m.  
DEPT: 1  
22 TRIAL DATE: May 18, 1995

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1 INTRODUCTION

2 Plaintiff, Church of Scientology International ("the  
3 Church"), has been trying to prepare these combined cases and  
4 bring them to trial for more than three years. The response from  
5 defendant Gerald Armstrong has been to interpose delay after  
6 delay after delay. Now, on the eve of trial, Armstrong has  
7 refused to allow the Church to complete discovery, defied the  
8 Referee's order that he appear to permit the Church to complete  
9 his deposition, and insisted that he cannot even set a new date  
10 for his deposition because a "spiritual condition" has caused him  
11 to have a "psychological incapacitation." [Ex. A to Exhibit 1,  
12 Declaration of Laurie J. Bartilson, Letter of March 21, 1995.]  
13 While claiming this psychological disability, Armstrong  
14 simultaneously appeared at a discovery deposition of another  
15 witness, and even cross-examined him. At that deposition's  
16 conclusion, however, he refused to submit to his own deposition,  
17 and refused to even discuss resetting it for another date.  
18 [Bartilson Dec. ¶ 9.]

19 Armstrong's latest abuse of the pre-trial process comes at  
20 the end of a long string of deliberate delaying tactics,  
21 frivolous filings, and bad faith refusals to respond to  
22 discovery. All in all, Armstrong has delayed the trial of this  
23 matter by 636 days. Enough is enough. The Church asks this  
24 Court to exercise its powers pursuant to Code of Civil Procedure  
25 Section 2023(b)(4)(D), and issue a terminating sanction granting  
26 the Church default judgment against Armstrong on the consolidated  
27 complaints at issue herein, or, in the alternative, to issue an  
28 order pursuant to C.C.P. §2023(b)(3) preventing Armstrong from



1 testifying on behalf of any defendant as a witness at the trial  
2 of this matter.

3 **STATEMENT OF FACTS**

4 **A. Armstrong's History of Refusals To Appear For Deposition And**  
5 **Answer Questions**

6 The Church has been trying to take, and complete, Mr.  
7 Armstrong's deposition in this case for more than three years.  
8 Armstrong's pattern of delay and obstruction demonstrates a  
9 callous disregard for the discovery process, and a certainty that  
10 he, of all litigants, is immune from the Court's powers of  
11 sanction:

12 \* On March 6, 1992, the Church noticed Armstrong's  
13 deposition for March 18, 1992, prior to the scheduled hearing on  
14 preliminary injunction, which was set for March 20, 1992. [Ex. B,  
15 Notice, to Exhibit 1, Declaration of Laurie J. Bartilson.] Later  
16 on March 6, Armstrong issued a notice of deposition for one  
17 Martin Samuels, also set for March 18, 1992. [Ex. C.] On March  
18 9, Armstrong cancelled the deposition that he had noticed, and  
19 refused to appear for his own deposition, now claiming that he  
20 would not be available on March 18. [Ex. D, Letter from Ford  
21 Greene.] Armstrong resisted all efforts by plaintiff's counsel  
22 to obtain even a half day of deposition prior to the hearing.  
23 [Ex. E, Letters from Wilson];

24 \* On March 23, 1992, CSI again noticed Armstrong's  
25 deposition, this time for April 3, 1992. [Ex. F.] On April 1,  
26 1992, Armstrong again unilaterally refused to appear for  
27 deposition, claiming that he did not have to appear because the  
28 case had been transferred to the Los Angeles Superior Court, but



1 did not yet have a judge. [Ex. G, Letter of April 1, 1992];

2 \* On April 16, 1992, CSI again noticed Armstrong's  
3 deposition for May 7, 1992. [Ex. H.] Two days before the  
4 scheduled date, Armstrong raised an untimely objection, claiming  
5 that the notice had inadvertently left out the time for the  
6 commencement of the deposition, and refused to appear. [Ex. I,  
7 Objection; Ex. J, Wilson Letter of May 6, 1992];

8 \* On June 2, 1992, CSI noticed Armstrong's deposition a  
9 fourth time, this time for June 15, 1992. [Ex. K, Notice.]  
10 Armstrong refused to appear on June 15, but agreed to appear on  
11 June 24, 1992;

12 \* Armstrong finally appeared for an initial day of  
13 deposition on June 24, 1992. He produced no documents, however,  
14 objecting to the Church's document request, and insisting that  
15 the Church pay him thousands of dollars for him to search his  
16 archives and produce responsive documents. [Ex. L, Armstrong  
17 letters of June 12, 1992 and June 20, 1992.] He left at 4:30,  
18 refusing to resume the next day, and rescheduled for June 30.  
19 [Ex. M, GA Depo., Vol. I, pp. 174-178];<sup>1</sup>

20 \* On June 29, Armstrong informed CSI that he would not  
21 appear for deposition on June 30 because the Armstrong  
22 Corporation was now a defendant in the case, and he was "looking  
23 for counsel."<sup>2</sup> [Ex. N, Wilson Letter of June 30] The

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24 <sup>1</sup> References to the deposition of Gerald Armstrong appear as "GA  
25 Depo., Vol. \_\_, pp. \_\_ - \_\_."

26 <sup>2</sup> According to Armstrong, the Gerald Armstrong Corporation  
27 "possesses a number of Gerald Armstrong's artistic and literary  
28 works, possesses rights to a number of his inventions and rights  
to certain formulas, and is in the business of bringing peace and  
(continued...)



1 deposition was rescheduled for July 21 and 22. [Ex. O, Wilson  
2 letter of July 6, 1992.] Armstrong "forgot" to appear on July  
3 21. [Ex. P, Bartilson letter of August 2, 1992.] When he  
4 appeared on July 22, he and the corporation were both represented  
5 by Mr. Greene. After a short day of deposition, they left, again  
6 without providing any definite dates on which they would  
7 reappear. [Ex. Q, GA Depo., Vol. II, pp. 291-293];

8 \* Armstrong finally reappeared for deposition on October  
9 7 and 8, 1992, but refused to answer dozens of relevant questions  
10 concerning matters alleged in the complaint. [Ex. R, Separate  
11 Statement in Support of Motion to Compel];

12 \* On January 6, 1993, after Armstrong refused to meet and  
13 confer over the dispute, the Church brought a motion to compel  
14 Armstrong to answer the questions he had refused to answer. [Ex.  
15 S, Motion.] Typically, Armstrong's first response was to attempt  
16 to put over the hearing on the motion, using the excuse that his  
17 attorney was ill. [Ex. T, Greene letter of February 9, 1993.]  
18 Finally, on February 19, 1993, that motion was granted in its  
19 entirety. [Ex. U, Transcript of Proceeding, p. 5];

20 \* On March 10, 1993, Armstrong's deposition resumed.  
21 Armstrong again refused to answer many of the questions which  
22 Judge Horowitz had already ordered him to answer, this time  
23 claiming a different privilege. [E.g., Ex. V, GA Depo. Vol. V,

24 \_\_\_\_\_  
25 <sup>2</sup>(...continued)  
26 exploiting its assets for commercial and peaceful purposes." [Ex.  
27 Q, GA Depo. Vol. II, p. 266:15-20.] Armstrong is its president;  
28 he claims also to be "the senior baker" and "the senior vice  
president for contests and awards." [Id. 265:25-266:5.] In  
short, the corporation is a sham device used by Armstrong to  
shelter his documents and assets.



1 pp. 567-571, 575-578, and 582-589.] Armstrong arrived at the  
2 deposition at 11:10 a.m., and left at 3:25. [Id., p. 624.]

3 \* On March 23, 1993, before the Church had time to bring  
4 another motion to compel Armstrong's deposition or for sanctions,  
5 Armstrong obtained a stay of the entire action in Los Angeles,  
6 pending resolution of his appeal of the preliminary injunction.

7 **B. Armstrong's Latest Refusal To Complete His Deposition**

8 The stay was lifted in the action in Los Angeles on June 6,  
9 1994. The Church re-set Armstrong's deposition for August, 1994,  
10 hoping to complete it. [Ex. W.] Finally, Armstrong appeared for  
11 an additional 9 hours of deposition in August, 1994, and 5 hours  
12 of deposition in October, 1994. Once again, Armstrong refused to  
13 answer many questions that were obviously relevant, including  
14 questions on subjects concerning which he had already been  
15 ordered by Judge Horowitz to answer. Rather than set yet another  
16 date for the deposition, plaintiff once again moved to compel.  
17 [Ex. X, Moving Papers, Second Motion to Compel.]

18 The motion to compel was heard by the discovery referee, Mr.  
19 Benz, on January 27, 1995. During the course of the hearing, the  
20 referee granted 7 of the Church's 9 requests to compel answers,  
21 and ordered Mr. Armstrong to reappear for deposition in front of  
22 the Referee. The deposition was set to continue on March 9,  
23 1995. [Ex. Y, Notice.]

24 On March 9, 1995, Armstrong appeared for his deposition, but  
25 insisted on leaving at 3:30 p.m. [Bartilson Dec., ¶ 2.] Before  
26 the referee, the parties agreed to resume the deposition on  
27 Wednesday, March 22, 1995. [Id.] At the time Armstrong left the  
28 deposition, the Church's counsel had not yet finished asking him



1 the questions which had been the subject of the motion to compel  
2 or reasonable follow-up questions. [Id., ¶ 3.] The remaining  
3 questions dealt specifically with breaches of the contract that  
4 are alleged in the first through twentieth causes of action of  
5 plaintiff's complaint.

6 On March 21, 1995, Church attorney Laurie Bartilson received  
7 a telefaxed letter from Armstrong. Armstrong stated that "[d]ue  
8 to a spiritual condition which I am unable to control resulting  
9 in a psychological incapacitation" he could not proceed with  
10 either his own deposition, set for March 22, 1995, or that of  
11 witness Jerry Solfvin, set for March 23, 1995. [Ex. A.]  
12 Armstrong offered no alternative dates, but requested that Ms.  
13 Bartilson "contact [him] in a few days to see if these  
14 depositions can be rescheduled." [Id.]

15 Ms. Bartilson called Armstrong, and informed him that his  
16 letter was insufficient to excuse him from the properly noticed  
17 and long overdue deposition. Armstrong replied that he would not  
18 appear because of his "spiritual and psychological  
19 incapacitation." [Id., ¶ 5.] Ms. Bartilson asked Armstrong if  
20 his doctor or psychiatrist would attest to Armstrong's claimed  
21 "incapacitation." Armstrong replied that he had no treating  
22 doctor or psychiatrist, but that he simply felt that his mind was  
23 not functioning properly. [Id.] Ms. Bartilson asked Armstrong  
24 if his memory was impaired, and Armstrong stated that it was not.  
25 Ms. Bartilson reminded Armstrong of the lengthy history of delays  
26 connected with his deposition, and stated that she intended to  
27 appear in northern California the next day for the deposition.  
28 Armstrong hung up on Ms. Bartilson. [Id.]



1           Hearing nothing further from Armstrong, Ms. Bartilson  
2 travelled to Larkspur for the deposition. Armstrong did not  
3 appear, although Ms. Bartilson called him from Mr. Benz's office  
4 and informed him that all were present and waiting for him. [Ex.  
5 Z, Transcript of Proceedings, March 22, 1995.] Armstrong lives  
6 and works in San Anselmo, just a short distance from Mr. Benz's  
7 office. He refused, however, to appear. [Bartilson Dec., ¶ 6.]  
8 The Referee, William R. Benz, found on the record that  
9 Armstrong's letter was insufficient justification for his failure  
10 to appear. He also ordered that the deposition of the witness,  
11 Jerry Solfvin, proceed as noticed the next day, March 23. [Id., ¶  
12 7.] Armstrong was given notice of these rulings.

13           Armstrong appeared the next day at Mr. Solfvin's deposition.  
14 He greeted Mr. Solfvin enthusiastically, and then became morose  
15 as soon as the Referee entered the room. [Id., ¶ 8.] During the  
16 deposition, Armstrong alternately took notes, and looked bored.  
17 When Ms. Bartilson finished questioning Mr. Solfvin, Armstrong,  
18 in pro per, promptly cross-examined Mr. Solfvin. [Id., ¶ 9.]  
19 His cross-examination was appropriate, thoughtful, and not marked  
20 by any emotional outbursts or other indicia of psychological  
21 malaise. Thereafter, Ms. Bartilson attempted to obtain  
22 Armstrong's agreement to either complete his deposition  
23 immediately, as all were present, or to set a future date.  
24 Armstrong refused, and ran out of the room. [Id.]<sup>3</sup>

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25           <sup>3</sup> Before leaving, Armstrong gave Ms. Bartilson a letter from  
26 "anti-cult" psychologist Margaret Singer dated March 22, 1995, in  
27 which Ms. Singer states that in her "professional opinion"  
28 Armstrong had been "undergoing a psychological crisis" in his  
life, and shouldn't be deposed "at this time." [Ex. AA.] Ms.

(continued...)



1 **C. Armstrong's Additional Discovery Abuses**

2 Armstrong has not limited his abuse of discovery to a  
3 refusal to appear for and conclude his deposition. During the  
4 course of this case he has:

5 + Refused for 9 months to provide documents in response  
6 to proper document requests, alternatively claiming that the  
7 documents were privileged, in the hands of "the Gerald Armstrong  
8 Corporation," and too expensive to search for [Ex. CC];

9 + Refused to respond at all to requests for written  
10 discovery, propounded in August, 1994 [Ex. DD];

11 + Prevented the plaintiff from taking the deposition of  
12 key witness Larry Wollersheim for the past 7 months [Ex. EE];

13 + Claimed that attorney Michael Flynn was a key witness  
14 to his defense, but prevented plaintiff from obtaining Mr.  
15 Flynn's deposition [Ex. FF];

16 + Refused to respond to relevant written discovery  
17 requests in the fraudulent conveyance action, forcing plaintiff  
18 to bring a motion to compel further responses [Ex. GG];

19 + Propounded 1150 special interrogatories which the  
20 Referee found were not relevant to the subject matter of the  
21 action or reasonably calculated to lead to the discovery of  
22 admissible evidence [Ex. HH].

23 **D. Armstrong's Further Delaying, Bad Faith Litigation Tactics**

24 Armstrong's attempts to derail and delay this case have not

25 \_\_\_\_\_  
26 <sup>3</sup>(...continued)

27 Bartilson confirmed the letter with Singer, who stated that she  
28 had seen Armstrong for about 2 1/2 hours on March 22, and based  
her opinion on the fact that "everything was going wrong in his  
life." [Bartilson Dec., ¶ 10.] Dr. Singer's deposition has been  
set for April 10, 1995. [Ex. BB.]



1 been limited to the discovery arena. All told, Armstrong has  
2 asked for more than 18 continuances or delays in proceeding,  
3 obtaining a record 636 days of delay. His imaginative reasons  
4 for needing these delays included:

5 Attorney Greene had a medical condition; attorney  
6 Greene had a conflict in another case; attorney Morantz  
7 was ill and could only work two hours a day; attorney  
8 Greene needed more time to prepare; his copier  
9 malfunctioned; attorney Greene was on vacation;  
10 attorney Greene wanted to go on vacation; Greene  
11 expected to be in trial; and Armstrong had no computer.

12 Over the past three years, the Church has brought 7  
13 substantive motions. In response to every single one of these  
14 motions, Armstrong asked for a continuance of the hearing date,  
15 or a delay in filing his opposition papers. The Church  
16 eventually prevailed on six of the substantive motions.<sup>4</sup>

17 In addition, Armstrong filed duplicative, frivolous cross-  
18 complaints in both the Los Angeles and the Marin action, forcing  
19 the Church to bring demurrers and motions for summary  
20 adjudication in order to remove them from the case [Ex. II,  
21 Orders.]

22 And, of course, throughout this litigation, Armstrong has  
23 continued to blatantly breach the agreement, insisting that he  
24 alone of all citizens is not bound to keep the promises he has  
25 made. [See, Plaintiff's motion for summary adjudication of the  
26 twentieth cause of action and evidence filed in support thereof].

27 ///

28 ///

///

---

<sup>4</sup> Demurrer to the cross-complaint was overruled in the breach case, but the Church prevailed on summary judgment.



1 ARMSTRONG MUST BE SANCTIONED FOR HIS FAILURE TO COMPLY  
2 WITH DISCOVERY

3 C.C.P. § 2023 provides, in part:

4 (a) Misuses of discovery process include, but are not  
5 limited to, the following: . . .

6 (4) Failing to respond or to submit to an authorized  
method of discovery . . .

7 (7) Disobeying a court order to provide discovery.

8 \* \* \*

9 (b)(3) The court may impose an evidence sanction by an  
10 order prohibiting any party engaging in the misuse of  
11 the discovery process from introducing designated  
matters in evidence.

12 (4) The court may impose a terminating sanction by one  
of the following orders: . . .

13 (D) An order rendering a judgment by default against  
14 that party.

15 This Court has broad discretion to impose discovery  
16 sanctions, subject to reversal only for "arbitrary, capricious,  
17 or whimsical action." Do It Urself Moving & Storage, Inc. v.  
18 Brown, Leifer, Slatkin & Berns (1992) 7 Cal.App.4th 27,36, 9  
19 Cal.Rptr.2d 396. There are only two elements absolutely required  
20 for an imposition of sanctions: (1) a failure to comply and (2)  
21 the failure must be wilful. Calvert Fire Insurance Co. v.  
22 Cropper (1983) 141 Cal.App.3d 901, 904, 190 Cal.Rptr. 593.

23 Armstrong's refusal to appear for deposition was wilful and,  
24 as found by the Referee, without sufficient justification. [Ex.  
25 X.] Further, his final refusal to appear at all was merely the  
26 culmination of literally years of wilful noncompliance with  
27 deposition notices and Court orders requiring that he appear and  
28 answer, rather than evade, questions.



1 Court's have consistently responded to patterns of discovery  
2 obstruction like Armstrong's with evidentiary or terminating  
3 sanctions. For example, in Calvert Fire Insurance Co., supra,  
4 the defendant served the plaintiff with interrogatories in April,  
5 1979. When, after numerous extensions and one fruitless motion  
6 to compel, the plaintiff still had not responded to the  
7 interrogatories by January, 1980, the trial court dismissed the  
8 complaint as a discovery sanction. The Court of Appeal found  
9 that this was well within the trial court's discretion.

10 Similarly, in Do It Urself, supra, the plaintiffs obtained a  
11 continuance of the trial date on the basis that an audit, claimed  
12 to be necessary to prove their damages, would not be completed in  
13 time for the trial. Plaintiffs were given the continuance on the  
14 condition that they provide the results of the audit to  
15 defendants in discovery. Months later, the defendants discovered  
16 that the audit had never been completed. They sought and  
17 received evidentiary sanctions to the effect that plaintiff could  
18 put on no accounting evidence in support of its claim. Plaintiff  
19 argued to the Court of Appeal that the evidentiary sanction was  
20 too harsh, because it had the effect of being a terminating  
21 sanction. The Court of Appeal upheld the sanction as well within  
22 the discretion of the trial court, noting that "imposition of a  
23 lesser sanction would have permitted plaintiffs to benefit from  
24 their stalling tactics." 9 Cal.Rptr.2d at 401.

25 In Waicis v. Superior Court (1990) 226 Cal.App.3d 283, 276  
26 Cal.Rptr. 45, the court had to deal with a situation, like this  
27 one, in which a witness refused to appear for deposition, despite  
28 multiple reschedulings for his convenience, and finally was



1 ordered to appear. On the day of the deposition, the witness,  
2 like Armstrong here, unilaterally announced that he had a  
3 personal appointment, and walked out of the deposition before it  
4 had been completed. The witness in Waicis was plaintiff's expert  
5 witness; the court, in exasperation, ordered that the witness be  
6 excluded from testifying on the plaintiff's behalf. The Court of  
7 Appeal upheld the sanction, noting that a witness does not have  
8 "the right to unilaterally terminate a deposition at his  
9 convenience," 276 Cal.Rptr. at 48, and that the sanction was  
10 imposed not merely because the witness left the deposition early,  
11 but because of "the pattern of the [witness]'s conduct," id.  
12 (emphasis in original). In so holding, the Court found that,

13           It is an affront to the orderly and expeditious  
14 disposition of cases for any witness, especially an  
15 expert witness, to be so uncooperative. Dr. Frankel's  
16 conduct smacks of game playing. The main complaint  
17 about our system of the administration of justice in  
18 civil cases is the delay in bringing cases to trial.  
19 The trial court must exercise its inherent and  
20 statutory powers to prevent abuse of the system which  
21 causes delay.

22 276 Cal.Rptr. at 48.

23           Here, Armstrong's conduct displays a pattern of creating  
24 delay that is more extensive than the delay obtained in any of  
25 these cases. Armstrong has successfully prevented this case from  
26 going to trial for more than three years. Now, by claiming  
27 "psychological incapacitation," he obviously hopes to increase  
28 the delay still further. The time has come to end Armstrong's  
"game playing" with the judicial system. His latest wilful  
refusal to be deposed is the "last straw" in an unvarying pattern  
of misconduct.

          The Church seeks a sanction which is appropriate to the



1 magnitude of Armstrong's pattern of delay and obstruction: entry  
2 of default judgment on both the breach and fraudulent conveyance  
3 claims. Given the degree to which Armstrong's misconduct  
4 permeates every aspect of this litigation, the requested sanction  
5 is both necessary and appropriate.


6 **CONCLUSION**

7 Defendant Gerald Armstrong has used this Court, and the Los  
8 Angeles Superior Court, as his playground for three years,  
9 complying with discovery when and if he felt like it, refusing to  
10 respond to discovery at his whim, and seeking delay after delay  
11 after delay. The Code of Civil Procedure provides this Court  
12 with the power and the tools to end this abuse. Plaintiff  
13 requests that the Court enter an Order granting the Church  
14 default judgment on each of its remaining claims or, in the  
15 alternative, providing that defendant Gerald Armstrong may not  
16 testify as a witness on behalf of any defendant at the trial of  
17 this action.

18 Dated: March 28, 1995

Respectfully submitted,

19 BOWLES & MOXON

20  
21 BY:   
Laurie J. Bartilson

22  
23 Andrew H. Wilson  
WILSON, RYAN, & CAMPILONGO

24 Attorneys for Cross-Defendant  
25 CHURCH OF SCIENTOLOGY  
INTERNATIONAL  
26  
27  
28



PROOF OF SERVICE

STATE OF CALIFORNIA        )  
                                  )    ss.  
COUNTY OF LOS ANGELES    )

I am employed in the County of California, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Boulevard, Suite 2000, Hollywood, CA 90028.

On March 28, 1995, I served the foregoing document described as CHURCH OF SCIENTOLOGY INTERNATIONAL'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR TERMINATING OR EVIDENTIARY SANCTIONS AGAINST DEFENDANT GERALD ARMSTRONG on interested parties in this action,

by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

by placing  the original  true copies thereof in sealed envelopes addressed as follows:

GERALD ARMSTRONG  
715 Sir Francis Drake Blvd.  
San Anselmo, CA 94960-1949

MICHAEL WALTON  
700 Larkspur Landing Circle  
Suite 120  
Larkspur, CA 94939

BY MAIL

\*I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more

than one day after date of deposit for mailing an affidavit.

Executed on March 28, 1995 at Los Angeles, California.

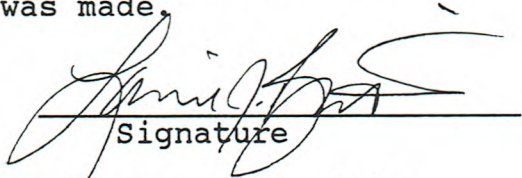
[ ] **\*\* (BY PERSONAL SERVICE)** I delivered such envelopes by hand to the offices of the addressees.

Executed on \_\_\_\_\_, at Los Angeles, California.

[X] (State) I declare under penalty of the laws of the State of California that the above is true and correct.

[ ] (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Laurie J. Bartilson  
Print or Type Name

  
Signature

\* (By Mail, signature must be of person depositing envelope in mail slot, box or bag)

\*\* (For personal service signature must be that of messenger)